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10 **Attorneys for Defendants OXFORD HEALTH  
11 INSURANCE and UNITED BEHAVIORAL  
12 HEALTH**

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

15 DAVID BAIN, DAYNA BAIN and ALAINA  
16 BAIN, individuals,

17 Plaintiffs,

18 vs.

19 OXFORD HEALTH INSURANCE, and  
20 UNITED BEHAVIORAL HEALTH, in their  
21 capacities as insurers, administrators, and  
22 fiduciaries of the Sagent Advisors Inc. Group  
23 Health Plan, an ERISA-regulated welfare plan,

24 Defendants.

25 **CASE NO. 3:20-cv-02190-RS**

26 **STIPULATION AND ORDER  
27 CONTINUING HEARING ON ORDER  
28 TO SHOW CAUSE**

29 WHEREAS, on March 31, 2020, Plaintiffs David Bain, Dayna Bain, and Alayna Bain  
30 (collectively, “Plaintiffs”) initiated this action by filing a Complaint for Benefits under Employee  
31 Retirement Income Security Act of 1974 (“the Complaint”);

32 WHEREAS, Defendant Oxford Health Insurance (“Oxford”) was served with the  
33 Complaint and summons on April 13, 2020, and Defendant United Behavioral Health (“UBH”)  
34 was served with the Complaint and Summons on April 7, 2020;

35 WHEREAS, the parties have entered into a written confidential settlement agreement that  
36 provides for the dismissal of this action upon the occurrence of certain conditions precedent;

37 WHEREAS, per Docket Entry No. 22, the Court issued a standby order of dismissal and

1 scheduled an order to show cause hearing for September 24, 2020;

2 WHEREAS, as of the date of this Stipulation, the conditions precedent to the filing of a  
3 request for dismissal have not been completed but the Parties expect to occur within two weeks  
4 from the date of this stipulation;

5 THEREFORE, Plaintiffs and Defendants stipulate that the hearing on the Order to Show  
6 Cause, set by the Court to take place on September 24, 2020 (*see* Dkt. 22), should be continued  
7 two weeks to October 8, 2020, to allow for the performance of the conditions precedent.

8

9 DATED: September 21, 2020

CREITZ & SEREBIN LLP

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11 By: /s/ Joseph A. Creitz

12 Joseph A. Creitz  
13 Attorneys for Plaintiffs DAVID BAIN, DAYNA  
14 BAIN and ALAINA BAIN

15

16 DATED: September 21, 2020

LEWIS BRISBOIS BISGAARD & SMITH LLP

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18 By: /s/ Timothy J. Nally

19 Timothy J. Nally  
20 Attorneys for Defendants OXFORD HEALTH  
21 INSURANCE and UNITED BEHAVIORAL  
22 HEALTH

23 It is hereby **ORDERED** that the Order to Show Cause hearing scheduled for September  
24, 2020, is hereby continued to October 8, 2020 at 1:30 pm.

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JUDGE RICHARD SEEBOORG